THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.4810 OF 2006

Dated: 10-03-2006

Between

Vandavasi Venkateswarlu, S/o. Ramaiah,

R/o. Ravillavaripalem Village, Marripudi

Mandal, Prakasam District and others.

...PETITIONERS

AND

The District Collector, Prakasam District,

Ongole and others.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to declare the action of the respondents 2 and 3 in demolishing the houses of the petitioners bearing assessment Nos.79, 80, 147 and 78 respectively situated on eastern side of the podili to kondipi road, Ravillavaripalem Village, Marripudi Mandal without giving any notice and without following due process of law as illegal and arbitrary.

Learned counsel for the petitioners submits that the petitioners have constructed their houses in their own lands after obtaining sanction from the Gram Panchayat, Ravillavaripalem village, Marripudi Mandal, Prakasam District and the said houses have been given the assessment Nos.79, 80, 147 and 78 respectively, for which they are paying taxes regularly to the grampanchayat. He further submits that though the petitioners have not encroached any road margins the third respondent without acquiring the said lands for

road widening and without issuing any notice to the petitioners and without following due process of law, is threatening to demolish the houses of the petitioners.

Without expressing any opinion as to whether the petitioners have encroached the road margins and whether they have constructed their houses strictly in accordance with the sanction plan,

the respondents 2 and 3 are directed not to dispossess the petitioners or demolish any portion of their houses without following due process of law.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

March 10, 2006

DSK